

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**EMPLOYERS & OPERATING
ENGINEERS LOCAL 520
PENSION FUND, et al.,**

Plaintiffs,

v.

**W.C., BEISER CONCRETE
COMPANY, INC.,**

Defendant.

Case No. 10-cv-350-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Plaintiffs' Motion for Default Judgment (Doc. 10) against Defendant. In examining the Motion and supporting memorandum (Doc. 11), the Court notes Plaintiffs have not meet the requirements set forth by its **LOCAL RULE 55.1**.

LOCAL RULE 55.1(a) requires the moving party to: (1) "give notice of the entry of default to the defaulting party by regular mail sent to the last known address of the defaulted party," and (2) "certify to the Court that notice has been sent." Further, **LOCAL RULE 55.1(b)** requires that the motion seeking default judgment "shall contain a statement that a copy of the motion has been mailed to the last known address of the party from whom default judgment is sought. If the moving party knows, or reasonably should know, the identity of an attorney thought to

represent the defaulted party, the motion shall also state that a copy has been mailed to that attorney.”

Accordingly, the Court hereby allows Plaintiffs leave to file a supplement to their motion to demonstrate full compliance with **LOCAL RULE 55.1**. This supplement shall be filed by **October 29, 2010**. Failure to do so will result in a denial of the motion.

IT IS SO ORDERED.

Signed this 8th day of October, 2010.

/s/ David R. Herndon

**Chief Judge
United States District Court**